

28 September 2018

Assistant Commissioner: Investigations
POLICE NATIONAL HEADQUARTERS

INVESTIGATION OF POLICE USE OF EXTERNAL SECURITY CONSULTANTS

In March 2018 the State Services Commissioner ordered an Inquiry into the use by Southern Response Earthquake Services Limited (SRES) and the Ministry of Business, Innovation, and Employment (MBIE) of external security consultants (the SSC Inquiry) including but not limited to Thompson & Clark Investigations Limited (TCIL).

In June 2018 the SSC Inquiry was extended to enable the Inquiry to examine and report on the nature and extent of engagement between State Services agency employees and representatives of TCIL. The SSC has engaged Mr Doug Martin of Martin Jenkins Limited to undertake the Inquiry.

Police are not within the terms of reference for the SSC Inquiry. However, in light of public concerns regarding engagement of external security consultants, and given the SSC Inquiry process, it is appropriate that Police actions regarding external security consultants is closely considered.

I therefore direct you to undertake an investigation based on the Terms of Reference **attached** to this memorandum.

While the Terms of Reference relates to formal and structured engagements with external providers, to have the Trust and Confidence of all, it is also relevant to consider whether the conduct of Police staff around these engagements meets ethical standards consistent with the New Zealand Police values and Code of Conduct.

For the purpose of providing such assistance to the Police investigation as may be required, you should liaise with Mr Doug Martin.

You are to report to me on this investigation by 24 October 2018.

Michael Clement
Deputy Commissioner

Police National Headquarters

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**AN INVESTIGATION
OF
POLICE ENGAGEMENT OF EXTERNAL SECURITY CONSULTANTS**

Terms of Reference

The investigation will identify and report on:

1. Whether Police has engaged with any external security consultants, including but not limited to Thompson & Clark Investigations Limited (TCIL), the circumstances of and reasons for any such engagement, and the nature and outcomes of the engagement with external security consultants by Police.

Without limiting its scope, the Investigation will specifically report on:

2. Whether or not surveillance activities were undertaken by any external security consultants on behalf of Police and, if so:
 - (a) The nature of any such surveillance, either generally or relating to specific individuals;
 - (b) The extent to which Police requested that surveillance, and/or received information relating to that surveillance;
3. Any actions undertaken as a result of information received;
4. Any internal or external advice to Police relating to or produced as a result of engaging with external security consultants and/or any monitoring undertaken, including but not limited to advice relating to potential disclosure of the existence, nature or circumstances of any surveillance undertaken;
5. Governance and reporting mechanisms (or lack thereof) relating to engagement with security consultants; and
6. Whether or not, and the extent to which, any matters identified by the Investigation may have amounted to a breach of the New Zealand Police Code of Conduct.

Michael Clement
28 September 2018